

UNITED STATES DISTRICT COURT  
for the  
JUDICIAL DISTRICT OF PUERTO RICO

United States of America,  
*Plaintiff,*

v.

[1] Raddif TAPIA-Rivera,  
[2] Estevan DeCarlos ACEVEDO-Tapia,  
*Defendants.*

Case No. 14-384 (M)

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SAN JUAN, P.R.

CRIMINAL COMPLAINT

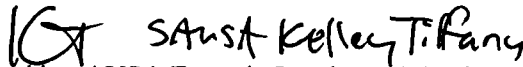
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of March 15-16, 2014 in the county of San Juan in the District of Puerto Rico, the defendant violated 46 U.S.C. §§ 70501 et seq., said offenses described as follows:

Defendants herein, did knowingly possess with the intent to distribute five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II, Narcotic Drug Controlled Substance, onboard a vessel of the United States, as defined in Title 46, United States Code, Section 70502(b)(1). The District of Puerto Rico was the first point where the defendants entered the United States after the commission of the offense. All in violation of Title 46, United States Code, Sections 70503(a)(1), 70504(b)(1), and 70506(a).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

for  Authorized by: AUSA Eugenio Lomba on March 17, 2014

☒ Continued on the attached sheet.

AO 91 (Rev. 02/09) Criminal Complaint


Sworn to before me and signed in my presence.

Date: March 17, 2014

City and state: San Juan, Puerto Rico

  
Complainant's signature

Special Agent Gabriel Ortiz, ICE/HSI  
Printed name and title

  
Judge's signature

Magistrate Judge Marcos López  
Printed name and title

**AFFIDAVIT FOR CRIMINAL COMPLAINT**

Your affiant, Gabriel Ortiz, Special Agent of the United States Department of Homeland Security, Homeland Security Investigations (HSI), being duly sworn, does hereby state and depose as follows:

**BACKGROUND**

1. I am a Special Agent with Homeland Security Investigations. I have completed the Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training at the Federal Law Enforcement Training Center, among other training programs.
2. As a Special Agent my job and responsibilities include conducting investigations of alleged manufacturing, distributing or possession of controlled substances, Title 21, United States Code, Section 841 (a)(1); importation of controlled substances Title 21, United States Code, Section 952 (a)); smuggling of goods into the United States, Title 21, United States Code, Section 545; Immigration violations Title 8, United States Code; possession with the intent to distribute controlled substances while onboard a vessel subject to the jurisdiction of the United States Title 46, United States Code, Section 70501 et seq.; and related offenses.
3. Because this Affidavit is submitted for a limited purpose, I have not included details of every aspect of this investigation. I am thoroughly familiar with the information contained in this Affidavit, either through personal investigation or through discussions with other law enforcement officers who have interviewed individuals or personally have obtained information, which they in turn have reported to me.

**INVESTIGATION**

4. This affidavit is made in support of a Criminal Complaint filed against [1] **Raddif TAPIA-Rivera**, [2] **Estevan DeCarlos ACEVEDO-Tapia** for a violation of Title 46, United States Code, Sections 70503(a)(1), 70504(b)(1), and 70506(a), possession with the intent to distribute 5 kilograms or more of cocaine, a Schedule II narcotic drug controlled substance, onboard a vessel of the United States.
5. On March 15, 2014, in the late evening hours, a United States Coast Guard (USCG), Maritime Patrol Aircraft (MPA) detected a surface target of interest approximately 60 miles southwest of St. Croix, described as a center console, open bow fishing vessel, with two outboard engines traveling at 30 knots with its lights out in a northwest direction towards Puerto Rico. The MPA notified USCG Sector San Juan who dispatched the USCG Cutter (USCGC) Reef Shark to interdict the suspect vessel. The MPA maintained constant aerial surveillance, passing information of the location of the suspect vessel to the Cutter until the Reef Shark arrived on scene.
6. at 0330 on March 16, 2014, the USCGC Reef Shark arrived on scene, energized their blue lights and ordered the suspect vessel to heave to. The suspect vessel became ~~complaint~~ and came to a stop at approximately 0330 25 NM miles west of St. Croix. Members from the Reef Shark observed two males onboard the suspect vessel bearing Puerto Rico registration # PR2213CC described as a blue and white in color center console fishing vessel with two, 200 horsepower outboard engines. The USCGC Reef Shark launched their small boat in order to

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conduct a safety and security boarding. Once onboard, members from the boarding team observed seven bales in the bow of the vessel wrapped in black plastic bound with yellow rope which appeared to be contraband in plain view.

7. The individuals were later identified [1] **Raddif TAPIA-Rivera**, [2] **Estevan DeCarlos ACEVEDO-Tapia**, both United States citizens. The operator was identified as **TAPIA-Rivera**.
8. Members from the Reef Shark took a representative sample of the white powdery substance from one of the bricks contained in the bale and conducted a Narcotics Identification Kit (NIK) Field Test which yielded positive results for the presence of cocaine. The vessel, the suspects and the narcotics were detained and transferred to San Juan, the first point of entry following the commission of the narcotics offense. HSI/ICE agents took custody of the suspects, the contraband and the vessel for further investigation and processing.
9. The final weight of the narcotics revealed approximately 242 kilograms of cocaine.
10. Based upon my training, experience, and facts concerning this investigation, I respectfully believe that the amount of narcotics mentioned above is not for personal use and that there is sufficient probable cause to show that there is material evidence present of a commission of a violation of a Federal Law to wit: Title 46, United States Code, Section 70503, possession with intent to distribute a Schedule II narcotic drug controlled substance, specifically cocaine, onboard a vessel of the United States.

  
Special Agent Gabriel Ortiz, HSI/ICE

Subscribed and sworn to before me this 17th day of March, 2014.

  
Marcos López  
United States Magistrate Judge